

REMARKS

Claims 1-18 are now pending in this application. Claims 1-16 are rejected. New claims 17 and 18 have been added. Claims 1-16 are amended herein to clarify the invention and/or to place the claims in better form.

Claims 1-5 and 9-13 have been rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent Publication No. 2002/0143776 (Hirose et al.).

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *See Verdegaal Brothers Inc. v. Union Oil Company of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Claim 1 recites a conversation control system that is configured to include four different kinds of information, as follows:

- 1) input information received from a user;
- 2) first morpheme information
- 3) pieces of second morpheme information
- 4) reply sentences

The Office Action of February 21, 2008 (as well as the Advisory Action) take the position that items 1) - 4) above are independent and mechanically analyze Hirose et al. for items that allegedly meet each of the four descriptions listed above. However, the courts have made clear that “[a]nticipation requires the presence in

a single prior art reference disclosure of each and every element of the claimed invention, *arranged as in the claim*" (emphasis added). *Lindemann Maschinenfabrik GMBH v. American Hoist and Derrick Company et al.* , 221 USPQ 481, 485 (Fed. Cir. 1984). The interrelationships between items 1) - 4) above have not been properly considered by the USPTO. For example, the following relationships are present:

2) is obtained from 1)

4) is associated with 3)

2) is compared with 3)

3) is searched for a portion of 2)

4) is retrieved as associated with 3) as searched for a portion of 2).

Thus, there is an interrelationship between items 1) - 4) above and this is an important part of the invention which is being ignored by the USPTO. Hirose et al. fails to disclose obtaining input information from a user, using the input information to obtain first morpheme information, comparing the first morpheme information with second morpheme information and searching the second information for a portion of first morpheme information, associating reply sentences with second morpheme information, and retrieving a reply sentence associated with the second morpheme information which was searched for a portion of the first morpheme information. Accordingly, anticipation of claim 1 over Hirose et al. is absent. Applicants also point out that it is incumbent on the

U.S. Patent and Trademark Office in the first instance to set forth clearly why it regards a claim to be anticipated. *See In re Mullin*, 179 USPQ 97, 100 (CCPA 1973). Should the Examiner believe that Hirose et al. anticipates any claim of the present application, Applicants respectfully request that the Examiner contact the Applicants' attorney to discuss the matter since it is Applicants' position that the written communications from the USPTO fail to not only establish anticipation, but also fail to clearly describe the interpretation of Hirose et al. by the USPTO.

Claim 9 includes items 1) - 4) above and has similar relationships as those enumerated above between 1), 2), 3), and 4), and is also patentable for similar reasons as claim 1.

Claims 2-5 and 10-13 are patentable at least for the reason that they depend from a patentable base claim. *See In re Royka and Martin*, 180 USPQ 580, 583 (CCPA 1974).

Additionally, claims 2-5 and 10-13 include various limitations and relationships between these limitations and the USPTO has not demonstrated that the limitations nor the relationships between the limitations are present in Hirose et al.

Moreover, some of the claims even recite limitations that are completely absent from Hirose et al., as explained below.

Claim 4, as amended, recites (A) a supplementation unit configured to add the searched piece of topic identification information to the first morpheme

information extracted at the morpheme extracting unit to provide a supplemented first morpheme information when no piece of second morpheme information including a portion of the extracted first morpheme information can be searched at the topic search unit and (B) the topic search unit is configured to search, based on the supplemented first morpheme information, a piece of second morpheme information including a portion of the supplemented first morpheme information from among the pieces of second morpheme information.

Similarly, claim 12, as amended, recites (C) a step of adding the searched piece of topic identification information to the extracted first morpheme information to obtain modified first morpheme information when no piece of second morpheme information including a portion of the extracted first morpheme information can be searched in the second step and (D) in the second step, based on the modified first morpheme information, a piece of second morpheme information including a portion of the first modified first morpheme information is searched from among the pieces of second morpheme information.

Hirose et al. fails to disclose or suggest any of limitations (A) - (D). Regarding limitations (A) and (B), Hirose et al. fails to disclose a supplementation unit configured to add a piece of topic identification information to the first morpheme information. Hirose et al. fails to disclose any topic identification information and it also does not disclose the addition of any topic identification information to any first morpheme information. Hirose et al. is merely doing a

word search. Also, Hirose et al. fails to disclose what happens when no piece of second morpheme information including a portion of the extracted first morpheme information can be searched. Also, the objective in Hirose et al. is to find particular words. If a word is not found, there is no reason for Hirose et al. to try to find another word instead of the word that was being searched since the objective is to find certain words. In fact, if the invention of Hirose et al. were to change the search parameters, this would make the retrieval in Hirose et al. problematic because the user would get search results that are different than what was requested. Also, paragraphs 0177, 0233, 0073, and 119 of Hirose et al. fail to disclose what happens when no piece of second morpheme information can be searched and this further demonstrates that the Office Action has not demonstrated the presence of elements (A) and (B) in Hirose et al.

Regarding limitations (C) and (D), Hirose et al. fails to disclose adding the piece of topic identification information to the first morpheme information. Hirose et al. fails to disclose any topic identification information and it also does not disclose the addition of any topic identification information to any first morpheme information. Hirose et al. is merely doing a word search. Also, Hirose et al. fails to disclose what happens when no piece of second morpheme information including a portion of the extracted first morpheme information can be searched. Also, the objective in Hirose et al. is to find particular words. If a word is not found, there is no reason for Hirose et al. to try to find another word instead of the word that

was being searched since the objective is to find certain words. In fact, if the invention of Hirose et al. were to change the search parameters, this would make the retrieval in Hirose et al. problematic because the user would get search results that are different than what was requested. Also, paragraphs 0177, 0233, 0073, and 119 of Hirose et al. fail to disclose what happens when no piece of second morpheme information can be searched and this further demonstrates that the Office Action has not demonstrated the presence of elements (C) and (D) in Hirose et al.

Thus, for the aforementioned reasons, claims 4 and 12 are patentable over Hirose et al.

Applicants hereby provide an explanation of the present invention to help demonstrate to the Examiner that the present invention is distinguishable over the cited art. In an exemplary embodiment of the present invention, the conversation control unit 300 includes a topic identification information search unit 320, an elliptical sentence supplementation unit 330, a topic search unit 340, and a reply retrieval unit 350. When the topic search unit 340 cannot search a topic title including first morpheme information extracted at the morpheme extracting unit 420, the elliptical sentence supplementation unit 330 adds the topic identification information previously searched by the topic identification information search unit 320 to the extracted first morpheme information. In this manner, when a sentence constituted by the use of first morpheme information is an elliptical sentence, the

elliptical sentence supplementation unit 330 can use topic identification information previously searched at the topic identification information search unit 320 so as to add the topic identification information (e.g., "Sato") to the first morpheme information of (*; *; like). As a result, the elliptical sentence supplementation unit 330 can add information to the first morpheme information (e.g., like) to obtain supplemented first morpheme information (Sato; *; like). Based on the supplemented first morpheme information, the topic search unit 340 can search an appropriate "topic title" related to the first morpheme information. Then, based on the appropriate "topic title" searched at the topic search unit 340, the reply retrieval unit 350 can output a reply sentence most suitable for the contents of the utterance of the user. Additional explanations of this can be found, for example, in the specification on page 16, line 6 to page 17, line 21, and on page 23 line 28 to page 24 line 29 and in Figs. 2 and 11.

Hirose et al. fails to disclose a conversation control system or method adding the piece of topic identification information previously searched to the extracted first morpheme information when no piece of second morpheme information including the extracted first morpheme information can be searched and where this first morpheme information to which has been added the piece of topic identification information is used to search the pieces of second morpheme information.

Accordingly, for the aforementioned reasons, the claimed invention is distinguishable over Hirose et al. and claims 1-5 and 10-13 are patentable over Hirose et al.

Claims 6-8 and 14-16 have been rejected under 35 U.S.C. § 103(a) as obvious over Hirose et al. in view of U.S. Patent No. 6,411,924 (de Hita et al.).

Claim 6 recites the lack of a retrieval of a reply sentence when the rank is the lowest. In Hirose et al. the objective is to do a word search and if a word is inputted, the search results for that word are found. One of ordinary skill in the art would have no reason to omit search results for that word since that is what is being searched. Thus, there is no reason to modify Hirose et al. in view of de Hita et al. as stated in the Office Action.

Claim 7 recites, *inter alia*, associating information as superordinate concepts or subordinate concepts. In Hirose et al., a word search is done and there is no need to associate information as superordinate concepts or subordinate concepts. Thus, there is no reason to modify Hirose et al. in view of de Hita et al. as stated in the Office Action.

Claim 8 recites that the pieces of topic information are associated with one another in predetermined relationships as superordinate concepts or subordinate concepts. In Hirose et al. there is no topic identification and therefore there is no reason for one of ordinary skill in the art to modify Hirose et al. for the pieces of topic information to be associated with one another in predetermined relationships

as superordinate concepts or subordinate concepts. Thus, there is no reason to modify Hirose et al. in view of de Hita et al. as stated in the Office Action.

Claim 14 recites the lack of a retrieval of a reply sentence when the rank is the lowest. In Hirose et al. the objective is to do a word search and if a word is inputted, the search results for that word are found. One of ordinary skill in the art would have no reason to omit search results for that word since that is what is being searched. Thus, there is no reason to modify Hirose et al. in view of de Hita et al. as stated in the Office Action.

Claim 15 recites, *inter alia*, associating information as superordinate concepts or subordinate concepts. In Hirose et al., a word search is done and there is no need to associate information as superordinate concepts or subordinate concepts. Thus, there is no reason to modify Hirose et al. in view of de Hita et al. as stated in the Office Action.

Claim 16 recites that the pieces of topic information are associated with one another in predetermined relationships as superordinate concepts or subordinate concepts. In Hirose et al. there is no topic identification and therefore there is no reason for one of ordinary skill in the art to modify Hirose et al. for the pieces of topic information to be associated with one another in predetermined relationships as superordinate concepts or subordinate concepts. Thus, there is no reason to modify Hirose et al. in view of de Hita et al. as stated in the Office Action.

Accordingly, at least for the aforementioned reasons, claims 6-8 and 14-16 are patentable over Hirose et al. in view of de Hita et al. Claims 6-8 and 14-16 are also patentable at least for the reason that they depend from a patentable base claim. *See In re Fine*, 5 USPQ2d 1596, 1600 (Fed. Cir. 1988).

Claims 1-16 have been amended therein to clarify the invention and/or place the claims in better form. Support for the claim amendments can be found in, for example, the claims as filed and on pages 15-16 of the specification.

Applicants respectfully request a three month extension of time for responding to the Office Action. The fee for the three month extension is being provided with the Request for Continued Examination which this amendment accompanies.

The USPTO is hereby authorized to charge any fee(s) or fee(s) deficiency or credit any excess payment to Deposit Account No. 10-1250.

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In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,
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